

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

[X] In re Provisional Application of: Osborne et al.

Application No: 60/151,258

Group Art Unit: Not assigned

Filed: August 27, 1999

Examiner: Not assigned

For:* Artificial Intelligence System for Genetic Analysis

**Note: Insert name(s) of inventor(s) and title also for patent. Where statement is with respect to a maintenance fee payment, also insert application number and filing date, and add Box M. Fee to address.*

**VERIFIED STATEMENT (DECLARATION) CLAIMING
SMALL ENTITY STATUS (37 CFR 1.9(c-f) and 1.27(b-d))**

With respect to the invention described in

[] the specification filed herewith.

[X] application no. 60/151,258, filed August 27, 1999.

[] patent no. _____, issued _____.

I. IDENTIFICATION OF DECLARANT AND RIGHTS AS A SMALL ENTITY

I hereby declare that I am a
Small Business Concern

[] the owner of the small business concern identified below:

[X] an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Iris BioTechnologies, Inc.

ADDRESS OF CONCERN 5201 Great America Pkwy., Suite 320
Santa Clara, CA 95054 and

that the above identified small business concern qualified as a small business concern, as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

II. OWNERSHIP OF INVENTION BY DECLARANT

I hereby declare that rights under contract or law remain with and/or have been conveyed to the
above identified ☐ person ☐ concern ☒ organization.

EXCEPT, that if the rights held are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held (1) by any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, (2) any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or (3) a nonprofit organization under 37 CFR 1.9(e).

- ☒ no such person, concern, or organization
☐ person, concerns or organizations listed below*

III. ACKNOWLEDGEMENT OF DUTY TO NOTIFY PTO OF STATUS CHANGE

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

IV. DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NOTE: The title of the person signing on behalf of a concern or nonprofit organization should be specified

NAME OF PERSON SIGNING Simon Chin

TITLE OF PERSON President

(if signing on behalf of a concern or non-profit organization)

ADDRESS OF PERSON SIGNING Iris BioTechnologies, Inc., 5201 Great America Pkwy.,

Suite 320, Santa Clara, CA 95054

SIGNATURE Simon X. M. Chin

DATE 11/11/99